

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Cr. No. 23-cr-324(1) (NEB/LIB)

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD DUANE ARMSTRONG,
JR.,

Defendant.

**GOVERNMENT'S MOTION FOR
DISCOVERY PURSUANT TO
FEDERAL RULES OF
CRIMINAL PROCEDURE 12.1,
12.2, 12.3 AND 26.2**

The United States of America moves the Court:

A. Alibi: For an order pursuant to Rule 12.1 of the Federal Rules of Criminal Procedure requiring the Defendant, if he intends to claim alibi as a defense, to state the specific place or places at which he claims to have been at the time of the alleged offenses in the above captioned matter and the names and addresses of the witnesses upon whom he intends to rely to establish such alibi.

B. Insanity Defense/Mental Illness: For an order pursuant to Rule 12.2 of the Federal Rules of Criminal Procedure requiring the Defendant, if he intends to rely upon the defense of insanity, or introduce expert testimony relating to a mental disease or defect, or any other mental condition of the Defendant bearing upon the issue of guilt, to give notice to the government no later than the date of the first hearing on pretrial motions.

C. Public Authority: For an order pursuant to Rule 12.3 of the Federal Rules of Criminal Procedure requiring the Defendant, if he intends to rely upon a defense of actual or believed exercise of public authority on behalf of a law enforcement agency or federal intelligence agency at the time of the offense, to give notice to the government and the Court no later than the date of the first hearing on pretrial motions.

D. Witness Statements: For an order pursuant to Rule 26.2 of the Federal Rules of Criminal Procedure requiring the Defendant, to produce all statements in his possession or control of any witness that the defendant calls in connection with a suppression hearing, detention hearing, trial, or sentencing.

Dated: November 9, 2023

Respectfully Submitted,

ANDREW M. LUGER
United States Attorney

s/ *Evan B. Gilead*

BY: EVAN B. GILEAD
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